

## EXHIBIT “B”



FLAVOR EXTRACT MFG. ASSN. (5)

MEMORANDUM OF CONFERENCE

July 8, 1966

PRESENT: Daniel R. (Thompson) Carr, Bonner, O'Connell, Kaplan  
Attorney & Scott representing FEMA  
Walter B. (Jacobson) Borden Company  
Howard (Smith) Virginia Dare Extract Co.  
Willis S. (Steinitz) American Food Laboratories, Inc.  
and  
Mr. J. K. Kirk Acting Associate Commissioner for  
Compliance, FDA  
Arthur R. Johnson Food Technology Branch, DFSA

SUBJECT: Status of Vanilla Flavoring with other Natural Flavors.

It was brought out that some flavoring manufacturers have been marketing products labeled "Vanilla with other Natural Flavors." As an example vanilla extract might be supplied in admixture with other cheaper botanicals such as St. John's Bread, Peru Balsam or prune juice. As a trade association, the Flavor Extract Manufacturers Association has been receiving many inquiries about the legal status of this type of product. It appears, that at the present time, the Association does not feel that the present Federal Regulations fully determine this status. They believe that the Vanilla standard and the Ice Cream standard could be re-written to better clarify these points:

The vanilla Standard determines Vanilla as a standardized product. If other flavorings are added, then the vanilla is no longer a standardized product and should therefore be labeled artificial or imitation. If this Vanilla with other natural flavors were to be used in ice cream, it would make the ice cream a category two product rather than a category one product.

the problem could be alleviated  
Mr. Thompson, with agreement from the others, suggested/through voluntary compliance action on the part of the FEMA. Information about the interpretation of the standards would be circularized throughout the Association.

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Mr. Kirk, in turn suggested that the FEMA submit to his office, a draft of the proposal which they wish to make. This proposal would consider first the interpretation of the standards to limit the use of category one for ice cream containing only vanilla flavoring and limit the use of Vanilla WONF to category two ice cream. Secondly the FEMA proposal would suggest means for solving the problem through favorable interpretation of the standards and regulations. It was also suggested that the association submit to Mr. Kirk's office evidence of the use of these products in the form of labels commonly used on the products.

cc: DFSA/RF  
Beacham, DFSA  
Johnson, DFSA  
SCI  
Records  
Mr. Kirk, OC  
Vanilla File  
Standards File

ARJohnson: ds: 7/20/66